IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 4TH JANUARY 2007 / 14TH POUSHA 1928

Bail Appl..No. 10 of 2007()

CC.26/2006 of J.M.F.C.-IV,KOZHIKODE

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PETITIONER/ACCUSED.

C.V.SAKKARIAH, S/O.MOIDEEN KOYA,
THOPPAYIL HOUSE, OWNER OF OMAN TRAVELS,
KOZHIKODE.

BY ADV. SRI.K.A.SALIL NARAYANAN

RESPONDENTS: COMPLAINANT.

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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B.A. No. 10 of 2007

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Dated, this the 4th day of January 2007

ORDER

Petitioner who is the first accused in Cr. No. 437/01 of Nadakkavu Police Station, Kozhikode for offences punishable under Sections 406 and 420 read with Sec. 34 I.P.C., seeks his enlargement on bail.

2. During the trial of the case registered as C.C. 563/03 before the J.F.C.M. -IV, Kozhikode, the petitioner remained absent. The case against him was transferred to the L.P. Register as L.P. 63/05 and the case was refiled as C.C. 26/06. Thereafter the trial court had issued non-bailable warrant of arrest against the petitioner who was arrested and produced before the Magistrate who dismissed the bail application filed by the petitioner. It is thereafter that the petitioner has approached this Court.

3. In the light of the submissions made on behalf of the petitioner, I am inclined to give one more opportunity to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the

J.F.C.M. IV, Kozhikode and on such conditions which the Magistrate may impose including one ensuring his due appearance in C.C. 26/06.

This application is accordingly allowed.

V. RAMKUMAR,
(JUDGE)

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